

A number of questions have been raised recently about insurance coverage and liability issues for University System of Georgia (USG) faculty and staff employees who direct or teach in study abroad programs. This discussion cannot cover every fact-specific scenario that may come up overseas but will address generally what faculty and staff need to know about these issues.

The Georgia Department of Administrative Services (DOAS) provides insurance coverage to the entire state government, including government employees for incidents related to their employment. DOAS carries policies for general liability, tort claims and workers' compensation. Those policies together provide payment for covered expenses like personal injuries and property damage that arise within the scope of employment. They also cover claims brought by others against a government employee related to his or her employment by providing the employee legal representation free of charge and covering damages that might be awarded as a result of litigation. (As with all insurance policies, there are various limitations and exclusions, and the specific terms of the policies govern coverage in light of the particular facts and circumstances regarding any claim.) DOAS, of course, does not provide coverage for injuries or liabilities employees incur in their personal lives away from work.

When USG faculty and staff suffer personal injuries or property damage or have claims filed against them by others for actions they took within the scope of their employment, therefore, they are covered by one or more of the DOAS policies. That is equally true when they are working on a campus within Georgia and when a Georgia-based employee goes to work on a study abroad assignment in another country. (Georgia workers' compensation laws, though, do not cover employees who are hired exclusively to work abroad.) There can be some differences within the details of the insurance policies when an incident happens abroad, such as which policy applies to a situation or the procedures for filing claims, but ultimately they will be covered either way for work-related events. As a general rule, if it would be covered here, it will be covered there. For instance, DOAS would cover a claim by a USG student alleging that a professor negligently injured her in a lab experiment in a classroom in Statesboro, and it would cover the same claim if the incident happened in a classroom in London.

Similarly, as a general rule, if it would not be covered here, it will not be covered there. Just as the USG and DOAS do not cover employees' personal mishaps away from work in Georgia, they do not cover personal mishaps away from work while

abroad. For example, DOAS would not cover an injury a USG professor suffers falling on the stairs on a personal trip to an Atlanta Braves baseball game after work, and it would not cover the same incident if it happened on a personal (non-student-related) trip to a Real Madrid soccer game after work in Spain. In both instances, the professor would need to rely on his or her personal insurance for any coverage. Both at home and abroad, it is a personal decision for each USG faculty or staff employee to determine the appropriate type and amount of personal insurance to carry in order to be covered for incidents that happen away from work.